

From: "Julie Turner"

To: "Desiree Golen"

Cc:

Bcc:

Date: Sat, 22 Nov 2008 23:00:17 -0800

Subject: RE: New information

Hi Desiree,

As we discussed, your legal analysis here is spot on.

When do you launch?

Julie

-----Original Message-----

From: Desiree Golen [mailto:desiree.golen@gmail.com]

Sent: Wednesday, November 12, 2008 1:29 PM

To: jturner@julieturnerlaw.com

Subject: New information

Dear Julie,

I just wanted to forward to you some new information I received from Todd Bilsborrow, the developer of Kafablo on the iPhone. Apparently, when he contacted the Tetris Company (after his app was officially removed from the appstore) asking them what their claims of infringement were based on, they referred him to a letter between a Customs agent and the lawyer of a software development company. See <http://www.faqs.org/rulings/rulings2002HQ471487.html>.

The Tetris Company concludes at the end,

"The copyrightable features of the TETRIS game, as covered by the copyright registration, includes the downward, lateral, and rotating movements of the differently oriented four-brick playing pieces, and the shape and appearance of the four-brick playing pieces, both in the "dots" that appear within the individual bricks themselves, as well as in the configuration of the four-brick combinations comprising the playing pieces. Additional copyrighted features include: the scoring features, the feature displaying the next four-brick playing piece that will fall down the playing field matrix, the disappearance of any completed horizontal row, the subsequent consolidation of the playing pieces remaining on the playing field as a result of the downward shift into the space vacated by the disappearing row, the resulting score, the background music, the specific sounds generated as the four-brick playing pieces are rotated, and the sounds generated as a row is completed and points are earned. Further, the makeup of the playing field